

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BRANDON C. WILLIAMS,

Plaintiff,

v.

STATE OF NEVADA,

Defendants.

3:15-cv-00427-MMD-WGC

ORDER

I. DISCUSSION

Plaintiff, who is a prisoner in the custody of the Elko County Jail, has initiated a civil rights action by filing a "Petition for Extraordinary Relief" pursuant to § 1983. (ECF No. 1-1). Plaintiff has neither paid the full filing fee for this matter nor filed an application to proceed *in forma pauperis*.

Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. The Court will retain Plaintiff's civil rights matter (ECF No. 1-1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to file an application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as


1 the document entitled information and instructions for filing an *in forma pauperis* application.

2 IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order,
3 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the
4 correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or
5 (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing fee and the \$50
6 administrative fee).

7 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
8 dismissal of this action may result.

9 IT IS FURTHER ORDERED that the Clerk of the Court shall retain ECF No. 1-1, but
10 shall not file it at this time.

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12 DATED: This 3rd day of September, 2015.

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15 United States Magistrate Judge
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